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STATE TREASURER

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COMPTROLLER GENERAL



THE DIVISION OF PROCUREMENT SERVICES

DELBERT H. SINGLETON, JR.
DIVISION DIRECTOR
(803) 734-8018

JOHN ST. C. WHITE
MATERIALS MANAGEMENT OFFICER
(803) 737-0600
FAX: (803) 737-0639

HARVEY S. PEELER, JR.
CHAIRMAN, SENATE FINANCE COMMITTEE

BRUCE W. BANNISTER
CHAIRMAN, HOUSE WAYS AND MEANS COMMITTEE

GRANT GILLESPIE
EXECUTIVE DIRECTOR

Determination on Request to Cancel Award

Matter of: DEM Logistics, LLC

File No.: 2024-118

Posting Date: November 8, 2023

Contracting Entity: Francis Marion University

Solicitation No.: RFQ-2427

Description: Furnish & Deliver Longleaf Pine Straw

DIGEST

The Chief Procurement Officer (CPO) grants Francis Marion's (FMU) request to cancel award where record clearly shows that the award was the result of administrative error. FMU's request is attached as Exhibit A.

AUTHORITY

The Chief Procurement Officer (CPO) conducted an administrative review pursuant to S.C. Code Ann. §11-35-1520(7) and Regulation 19-445.2085C. This decision is based on materials in the procurement file and applicable law and precedents.

BACKGROUND

The facts pertinent to this decision are:

- On September 28, 2023, FMU issued a solicitation seeking bids to furnish and deliver longleaf pine straw to the campus for two years. [Exhibit B]
- Bids were due by 2 PM on October 24, 2023.
- On October 6, 2023, Lamb's Plants LLC (Lamb) delivered its bid to FMU. [Exhibit C]
- At 12:24 PM on October 24, 2023, DEM Logistics, LLC (DEM) delivered its bid to FMU. [Exhibit D]
- FMU only considered the bid of DEM. [Exhibits A and E]
- On October 24, 2023, posted a Notice of Award of the contract to DEM. [Exhibit F]

- After award, FMU discovered its failure to consider Lamb’s bid. When reviewing Lamb’s bid, FMU discovered that Lamb bid a lower price than DEM. On October 31, 2023, FMU sent a request to the CPO to cancel the award to DEM prior to performance due to administrative error in making the award.

DISCUSSION

The solicitation sought unit price bids as follows:

VIII. Bidding Schedule: RFQ-2427: Furnish & Deliver Longleaf Pine Straw

PRICE PROPOSAL (JAN 2006)

The following Bidding Schedule is required to be completed by the offeror:
(do not include sales tax in your offer)

Item	Description	Quantity	Unit Price	Extended Price
1 (year 1)	14" x 14" x 28" packed and tied bale of Long Leaf Pine Straw delivered as specified in a drop or caged trailer.	*5,000 units		
Question		Mandatory/ Optional	Multiple Responses Accepted?	Response
Are you requesting the SC Resident Vendor preference? See the SC procurement code, section 11-35-1524(c)(1)(i)&(ii) and section II.B of this solicitation for more information. For a FAQ on these preferences, please see www.procurement.sc.gov/preferences		Optional	No	____ Yes ____ No
SC/US End-Product pref. Section 11-35-1524 and section II.B & VII.B of this solicitation. Select SC End Product preference if product is made, manufactured or grown in SC. Select US End Product if product is made, manufactured or grown in the US. Select "No", if not claiming a preference.		Optional	No	____ Yes, I am claiming SC End Product Preference ____ Yes, I am claiming US End Product Preference ____ No, I am not Claiming Either Preference

* Estimated usage for one year. Quantities may be more or less than this estimate. The University cannot guarantee that any quantities will be purchased.

Item	Description	Quantity	Unit Price	Extended Price
2 (year 2)	14" x 14" x 28" packed and tied bale of Long Leaf Pine Straw delivered as specified in a drop or caged trailer.	*5,000 units[LAH3]		
Question		Mandatory/ Optional	Multiple Responses Accepted?	Response
Are you requesting the SC Resident Vendor preference? See the SC procurement code, section 11-35-1524(c)(1)(i)&(ii) and section II.B of this solicitation for more information. For a FAQ on these preferences, please see www.procurement.sc.gov/preferences		Optional	No	<input type="checkbox"/> Yes <input type="checkbox"/> No
SC/US End-Product pref. Section 11-35-1524 and section II.B & VII.B of this solicitation. Select SC End Product preference if product is made, manufactured or grown in SC. Select US End Product if product is made, manufactured or grown in the US. Select "No", if not claiming a preference.		Optional	No	<input type="checkbox"/> Yes, I am claiming SC End Product Preference <input type="checkbox"/> Yes, I am claiming US End Product Preference <input type="checkbox"/> No, I am not Claiming Either Preference

* Estimated usage for one year. Quantities may be more or less than this estimate. The University cannot guarantee that any quantities will be purchased.

Lamb bid a unit price of \$4.50 per bale of pine straw for both years one and two for a yearly extended value of \$22,500 and a two-year extended total of \$45,000. DEM bid a unit price of \$5.75 per bale for year one with an extended amount of \$28,750. For year two, DEM bid a unit price of \$6.25 per bale with an extended amount of \$31,250. The two-year extended total of DEM's bid is \$60,000.

South Carolina Code of Laws Section 11-35-1520(7) states:

Correction or Withdrawal of Bids; **Cancellation of Awards.** Correction or withdrawal of inadvertently erroneous bids before or after award, or **cancellation and re award of awards or contracts, after award** but before performance, **may be permitted in accordance with regulations promulgated by the board.** After bid opening, changes in bid prices or other provisions of bids prejudicial to the interest of the State or fair competition must not be permitted. After opening, bids must not be corrected or withdrawn except in accordance with the provisions of this code and the regulations promulgated pursuant to it. Except as otherwise provided by regulation, **all decisions** to permit the correction or withdrawal of bids, or to **cancel awards** or contracts, **after award but before performance, must be supported by a written determination of appropriateness made by the chief procurement officers or head of a purchasing agency.** [emphasis supplied]

Pursuant to this statute, the state adopted Regulation 19-445.2085, which states in relevant part:

C. Cancellation Of Award Prior To Performance.

After an award or notification of intent to award, whichever is earlier, has been issued but before performance has begun, the award or contract may be canceled and either re-awarded or a new solicitation issued or the existing solicitation canceled, **if the Chief Procurement Officer determines** in writing that:

- (1) Inadequate or ambiguous specifications were cited in the invitation;

- (2) Specifications have been revised;
- (3) The supplies, services, information technology, or construction being procured are no longer required;
- (4) The invitation did not provide for consideration of all factors of cost to the State, such as cost of transporting state furnished property to bidders' plants;
- (5) Bids received indicate that the needs of the State can be satisfied by a less expensive article differing from that on which the bids were invited;
- (6) The bids were not independently arrived at in open competition, were collusive, or were submitted in bad faith;
- (7) **Administrative error of the purchasing agency discovered prior to performance**, or
- (8) For other reasons, cancellation is clearly in the best interest of the State.
[emphasis supplied]

While this is a small purchase under \$100,000 governed by S.C. Code Ann. §11-35-1550(c), it is axiomatic that FMU must consider all quotes received by the deadline for receipt of quotes. See S.C. Reg. 19-445.2050A (requiring the procurement officer to open **all** bids received by the time for receipt of bids). Moreover, S.C. Code Ann. §11-35-1550(c) states:

Advertised Small Purchase. Written solicitation of written quotes, bids, or proposals may be made for a small purchase, other than a small purchase of construction, not in excess of one hundred thousand dollars. The procurement must be advertised at least once in the South Carolina Business Opportunities publication. A copy of the written solicitation and written quotes must be attached to the purchase requisition. The **award must be made to the lowest responsive and responsible source** or, when a request for proposal process is used, the highest ranking offeror.
[emphasis supplied]

FMU's failure to consider Lamb's quote and to determine whether Lamb was the lowest responsive and responsible source was administrative error.

DECISION

For the foregoing reason, the CPO cancels the Award of the contract to DEM for longleaf pine straw and remands the matter back to FMU to proceed in accordance with the Consolidated Procurement Code.



John St. C. White
Chief Procurement Officer

STATEMENT OF RIGHT TO FURTHER ADMINISTRATIVE REVIEW

Protest Appeal Notice (Revised July 2023)

The South Carolina Procurement Code, in Section 11-35-4410, subsection (1)(b), states:

- (1) Creation. There is hereby created the South Carolina Procurement Review Panel which shall be charged with the responsibility to review and determine de novo:
- (b) requests for review of other *written determinations*, decisions, *policies*, and *procedures* arising from or concerning the procurement of supplies, services, information technology, or construction procured in accordance with the provisions of this code and the ensuing regulations; except that a matter which could have been brought before the chief procurement officers in a timely and appropriate manner pursuant to Sections 11-35-4210, 11-35-4220, or 11-35-4230, but was not, must not be the subject of review under this paragraph. Requests for review pursuant to this paragraph must be submitted to the Procurement Review Panel in writing, setting forth the grounds, within fifteen days of the date of the written determinations, decisions, policies, and procedures.

(Emphasis added.) See generally *Protest of Three Rivers Solid Waste Authority by Chambers Development Co., Inc.*, Case Nos. 1996-4 & 1996-5, *Protest of Charleston County School District*, Case No. 1985-5, *Charleston County School Dist. v. Leatherman*, 295 S.C. 264, 368 S.E.2d 76 (Ct.App.1988).

Copies of the Panel's decisions and other additional information regarding the protest process is available on the internet at the following web site: <http://procurement.sc.gov>

FILING FEE: Pursuant to Proviso 111.1 of the 2023 General Appropriations Act, "[r]equests for administrative review before the South Carolina Procurement Review Panel shall be accompanied by a filing fee of two hundred and fifty dollars (\$250.00), payable to the SC Procurement Review Panel. The panel is authorized to charge the party requesting an administrative review under the South Carolina Code Sections 11-35-4210(6), 11-35-4220(5), 11-35-4230(6) and/or 11-35-4410...Withdrawal of an appeal will result in the filing fee being forfeited to the panel. If a party desiring to file an appeal is unable to pay the filing fee because of financial hardship, the party shall submit a completed Request for Filing Fee Waiver form at the same time the request for review is filed. [The Request for Filing Fee Waiver form is attached to this Decision.] If the filing fee is not waived, the party must pay the filing fee within fifteen days of the date of receipt of the order denying waiver of the filing fee. Requests for administrative review will not be accepted unless accompanied by the filing fee or a completed Request for Filing Fee Waiver form at the time of filing." PLEASE MAKE YOUR CHECK PAYABLE TO THE "SC PROCUREMENT REVIEW PANEL."

LEGAL REPRESENTATION: In order to prosecute an appeal before the Panel, business entities organized and registered as corporations, limited liability companies, and limited partnerships must be represented by a lawyer. Failure to obtain counsel will result in dismissal of your appeal. *Protest of Lighting Services*, Case No. 2002-10 (Proc. Rev. Panel Nov. 6, 2002) and *Protest of The Kardon Corporation*, Case No. 2002-13 (Proc. Rev. Panel Jan. 31, 2003); and *Protest of PC&C Enterprises, LLC*, Case No. 2012-1 (Proc. Rev. Panel April 2, 2012). However, individuals and those operating as an individual doing business under a trade name may proceed without counsel, if desired.

**South Carolina Procurement Review Panel
Request for Filing Fee Waiver
1205 Pendleton Street, Suite 367, Columbia, SC 29201**

Name of Requestor

Address

City

State

Zip

Business Phone

1. What is your/your company's monthly income? _____

2. What are your/your company's monthly expenses? _____

3. List any other circumstances which you think affect your/your company's ability to pay the filing fee:

To the best of my knowledge, the information above is true and accurate. I have made no attempt to misrepresent my/my company's financial condition. I hereby request that the filing fee for requesting administrative review be waived.

Sworn to before me this

_____ day of _____, 20_____

Notary Public of South Carolina

Requestor/Appellant

My Commission expires: _____

For official use only: _____ Fee Waived _____ Waiver Denied

Chairman or Vice Chairman, SC Procurement Review Panel

This _____ day of _____, 20_____
Columbia, South Carolina

NOTE: If your filing fee request is denied, you will be expected to pay the filing fee within fifteen (15) days of the date of receipt of the order denying the waiver.



October 31, 2023

John St. C. White
Chief Procurement Officer
Division of Procurement Services

Dear John,

Per SC Procurement Code 19-445.2085 Cancellation Of Award Prior To Performance, Section C. (7), I am submitting this written request for determination of appropriateness of an administrative error made by Francis Marion University which was discovered after issue of Statement of Award, but prior to the initiation of a contract or performance of the contract as described herein.

Francis Marion University issued a Statement of Award to DEM Logistics, LLC for Request for Quote, 2427, Furnish & Deliver Longleaf Pine Straw on October 24. A purchase order has not been executed to initiate work for this award. The procurement agent overlooked a bid that was received prior to the opening date for this solicitation, therefore the vendor was not considered in the bid tab.

In all respects, the overlooked bid from Lamb's would have been deemed to be the lowest responsive and responsible bid. Therefore, the current award to DEM Logistics LLC was not to the lowest responsible and responsive bidder. For this reason, this award is in violation of the Consolidated Procurement Code 06-6020-1 AWARD CRITERIA – BIDS (JAN 2006): "Award will be made to the lowest responsible and responsive bidder(s). [06-6020-1]."

The cancellation of the current statement of award to DEM Logistics and re-issue of statement of award to Lamb's is in the best interest of the state because the project itself was competed via Request for Quotations to obtain the lowest possible price for the project.

Please let me know if you need any additional information regarding this request. If you would like to further discuss these issues, please contact me at your earliest availability.

Best Regards,

A handwritten signature in blue ink, appearing to read "Jennifer D. Hester".

Jennifer D. Hester
Director of Purchasing
843-661-1161

South Carolina Business Opportunities

Published by Division of Procurement Services - Delbert H. Singleton, Jr., Division Director

Ad Category: Supplies

Ad Start Date: September 28, 2023

Title: RFQ-2427 – Furnish and Deliver Longleaf Pine Straw

Purchasing Agent/Entity: Francis Marion University

Bid/Submittal Due Date: October 24, 2023 - 2:00pm

Description:

Francis Marion University is soliciting Bids from qualified firms in response to **RFQ-2427 – Furnish and Deliver Longleaf Pine Straw**. Specifications of RFQ-2427 may be obtained electronically at www.fmarion.edu/about/solicitationsawards/ or by contacting the buyer listed below.

Solicitation #: RFQ-2427

Direct Inquiries To: Lisa Blackwell

Buyer Phone#: 8436611164

Buyer Email: lisa.blackwell@fmarion.edu

Pre-Bid Information:

Questions due by 10/09/2023 at 2:00 pm EST

Full Details / Download: www.fmarion.edu/about/solicitationsawards/

South Carolina Business Opportunities • SCBO Team • 1201 Main Street, Suite 600 • Columbia, SC 29201
803-737-0600 • scbo@mmo.sc.gov • <https://scbo.sc.gov> • <https://procurement.sc.gov>



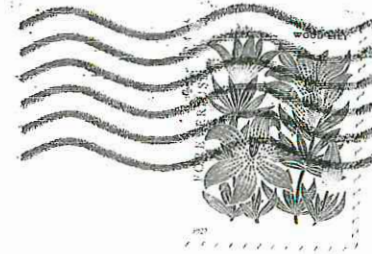
Exhibit C



Jonathan & Earleen Lamb
PO Box 366
Coward, SC 29530

COLUMBIA SC 290

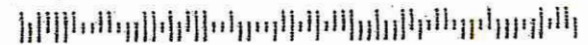
4 OCT 2023 PM 2 L



*Rec'd 10/6/23
8:30am
by Jennifer Hester
Jennifer Hester*

Francis Marion University
Purchasing Office
PO Box 100547
Florence, SC 29502-0547

29502-054747





Request for Quote

Solicitation Number **RFQ-2427**
 Date Issued **09/28/23**
 Procurement Officer **Lisa Blackwell**
 Phone **(843) 661-1164**
 E-Mail Address **lisa.blackwell@fmarion.edu**

DESCRIPTION: **Furnish & Deliver Longleaf Pine Straw to Francis Marion University**

The Term "Offer" Means Your "Bid" or "Proposal".

SUBMIT OFFER BY (Opening Date/Time): **10/24/23 @ 2:00 PM EST** See "Deadline For Submission Of Offer" provision

QUESTIONS MUST BE RECEIVED BY: **10/09/23 @ 2:00 PM EST** See "Questions From Offerors" provision

NUMBER OF COPIES TO BE SUBMITTED: 1

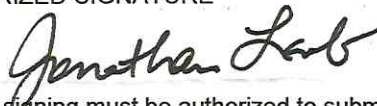
SUBMIT YOUR OFFER TO ONE OF THE FOLLOWING ADDRESSES IN A SEALED PACKAGE, or you may send via fax (see fax direction/details on page 4)

MAILING ADDRESS: Francis Marion University Purchasing Office P.O. Box 100547 Florence, SC 29502-0547	EXPRESS SHIPPING ADDRESS: Francis Marion University Central Receiving 4822 E. Palmetto Street Florence, SC 29506	HAND-DELIVERY: Francis Marion University Purchasing Office (Room 102) Stokes Administration Building 4822 E. Palmetto Street Florence, SC 29506
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CONFERENCE TYPE: ----- *As appropriate, see "Conferences - Pre-Bid/Proposal" & "Site Visit" provisions	DATE & TIME: -----	LOCATION: ----- *As appropriate, see "Conferences - Pre-Bid/Proposal" & "Site Visit" provisions
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AWARD & AMENDMENTS	Notice of Award will be posted at the Physical (Hand-Delivery) Address stated above on 10/24/2023 . The award, this solicitation, and any amendments will be posted at the following web address: https://www.fmarion.edu/procurement/solicitationsawards/
--------------------	--

You must submit a signed copy of this form with Your Offer. By submitting a bid or proposal, You agree to be bound by the terms of the Solicitation. You agree to hold Your Offer open for a minimum of thirty (30) calendar days after the Opening Date.

NAME OF OFFEROR (Full legal name of business submitting the offer) Lamb's Plants, LLC	OFFEROR'S TYPE OF ENTITY: (Check one)
AUTHORIZED SIGNATURE  (Person signing must be authorized to submit binding offer to enter contract on behalf of Offeror named above.)	<input type="checkbox"/> Sole Proprietorship <input type="checkbox"/> Partnership <input type="checkbox"/> Corporation (tax-exempt) <input checked="" type="checkbox"/> Corporate entity (not tax-exempt) <input type="checkbox"/> Government entity (federal, state, or local) <input type="checkbox"/> Other _____
TITLE (Business title of person signing above) Owner	
PRINTED NAME (Printed name of person signing above) Jonathan Lamb	DATE SIGNED (See "Signing Your Offer" provision.)

Instructions regarding Offeror's name: Any award issued will be issued to, and the contract will be formed with, the entity identified as the offeror above. An offer may be submitted by only one legal entity. The entity named as the offeror must be a single and distinct legal entity. Do not use the name of a branch office or a division of a larger entity if the branch or division is not a separate legal entity, i.e., a separate corporation, partnership, sole proprietorship, etc.

STATE OF INCORPORATION (If Offeror is a corporation, identify the state of Incorporation.) Limited Liability Corporation
--

TAXPAYER IDENTIFICATION NO. 84-3233345 (See "Taxpayer Identification Number" provision)
--

PAGE TWO
(Return Page Two with Your Offer)

<p>HOME OFFICE ADDRESS (Address for offeror's home office / principal place of business)</p> <p style="font-size: 1.2em; font-family: cursive;">419 2nd Loop Rd Florence, SC 29505</p>	<p>NOTICE ADDRESS (Address to which all procurement and contract related notices should be sent.) (See "Notice" clause)</p> <p style="font-size: 1.2em; font-family: cursive;">PO Box 366 Coward, SC 29530</p> <hr/> <p>Address 843-687-0057</p> <p>Area Code - Number - Extension Facsimile</p> <p style="font-size: 1.2em; font-family: cursive;">lamb52ndloop@yahoo.com</p> <p><u>E-mail Address</u></p>
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<p>PAYMENT ADDRESS (Address to which payments will be sent.) (See "Payment" clause)</p> <p style="font-size: 1.2em; font-family: cursive;">PO Box 366 Coward, SC 29530</p> <p><input type="checkbox"/> Payment Address same as Home Office Address</p> <p><input checked="" type="checkbox"/> Payment Address same as Notice Address (check only one)</p>	<p>ORDER ADDRESS (Address to which purchase orders will be sent) (See "Purchase Orders and "Contract Documents" clauses)</p> <p><input type="checkbox"/> Order Address same as Home Office Address</p> <p><input checked="" type="checkbox"/> Order Address same as Notice Address (check only one)</p>
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ACKNOWLEDGMENT OF AMENDMENTS
Offerors acknowledges receipt of amendments by indicating amendment number and its date of issue. (See "Amendments to Solicitation" Provision)

Amendment No.	Amendment Issue Date	Amendment No.	Amendment Issue Date	Amendment No.	Amendment Issue Date	Amendment No.	Amendment Issue Date

DISCOUNT FOR PROMPT PAYMENT (See "Discount for Prompt Payment" clause)	10 Calendar Days (%)	20 Calendar Days (%)	30 Calendar Days (%)	_____ Calendar Days (%)
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PREFERENCES - A NOTICE TO VENDORS (SEP. 2009): On June 16, 2009, the South Carolina General Assembly rewrote the law governing preferences available to in-state vendors, vendors using in-state subcontractors, and vendors selling in-state or US end products. This law appears in Section 11-35-1524 of the South Carolina Code of Laws. A summary of the new preferences is available at www.procurement.sc.gov/preferences . **ALL THE PREFERENCES MUST BE CLAIMED AND ARE APPLIED BY LINE ITEM, REGARDLESS OF WHETHER AWARD IS MADE BY ITEM OR LOT. VENDORS ARE CAUTIONED TO CAREFULLY REVIEW THE STATUTE BEFORE CLAIMING ANY PREFERENCES. THE REQUIREMENTS TO QUALIFY HAVE CHANGED. IF YOU REQUEST A PREFERENCE, YOU ARE CERTIFYING THAT YOUR OFFER QUALIFIES FOR THE PREFERENCE YOU'VE CLAIMED. IMPROPERLY REQUESTING A PREFERENCE CAN HAVE SERIOUS CONSEQUENCES.** [11-35-1524(E)(4)&(6)]

PREFERENCES - ADDRESS AND PHONE OF IN-STATE OFFICE: Please provide the address and phone number for your in-state office in the space provided below. An in-state office is necessary to claim either the Resident Vendor Preference (11-35-1524(C)(1)(i)&(ii)) or the Resident Contractor Preference (11-35-1524(C)(1)(iii)). Accordingly, you must provide this information to qualify for the preference. An in-state office is not required, but can be beneficial, if you are claiming the Resident Subcontractor Preference (11-35-1524(D)).

In-State Office Address same as Home Office Address

In-State Office Address same as Notice Address (check only one)

VIII. Bidding Schedule: RFQ-2427: Furnish & Deliver Longleaf Pine Straw

PRICE PROPOSAL (JAN 2006)

The following Bidding Schedule is required to be completed by the offeror:
 (do not include sales tax in your offer)

Item	Description	Quantity	Unit Price	Extended Price
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Question		Mandatory/ Optional	Multiple Responses Accepted?	Response
Are you requesting the SC Resident Vendor preference? See the SC procurement code, section 11-35-1524(c)(1)(i)&(ii) and section II.B of this solicitation for more information. For a FAQ on these preferences, please see www.procurement.sc.gov/preferences		Optional	No	<input type="checkbox"/> Yes <input type="checkbox"/> No
SC/US End-Product pref. Section 11-35-1524 and section II.B & VII.B of this solicitation. Select SC End Product preference if product is made, manufactured or grown in SC. Select US End Product if product is made, manufactured or grown in the US. Select "No", if not claiming a preference.		Optional	No	<input type="checkbox"/> Yes, I am claiming SC End Product Preference <input type="checkbox"/> Yes, I am claiming US End Product Preference <input type="checkbox"/> No, I am not Claiming Either Preference

* Estimated usage for one year. Quantities may be more or less than this estimate. The University cannot guarantee that any quantities will be purchased.

Item	Description	Quantity	Unit Price	Extended Price
2 (year 2)	14" x 14" x 28" packed and tied bale of Long Leaf Pine Straw delivered as specified in a drop or caged trailer.	*5,000 units [LAH3]	\$4.50 each	\$22,500.00
Question		Mandatory/ Optional	Multiple Responses Accepted?	Response
Are you requesting the SC Resident Vendor preference? See the SC procurement code, section 11-35-1524(c)(1)(i)&(ii) and section II.B of this solicitation for more information. For a FAQ on these preferences, please see www.procurement.sc.gov/preferences		Optional	No	<input type="checkbox"/> Yes <input type="checkbox"/> No
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* Estimated usage for one year. Quantities may be more or less than this estimate. The University cannot guarantee that any quantities will be purchased.

Item	Description	Total
3	TOTAL of Items 1 & 2 above	\$ 45,000.00

Jonathan Lamb
Signature

Jonathan Lamb
Printed Name

SC Certified Minority Vendor: Y N S.C. Cert. #. _____

For Informational Purposes Only And Not Included In The Evaluation Process:

Maintenance Cost (after warranty expiration): \$ _____

Maintenance Term: _____



Francis Marion University
Vendor Application Form

Taxpayer ID Number (circle): FEIN or SS: 84-3233345

FMU Vendor #: _____

New Vendor: _____

Vendor Info Change: _____

Submit your W-9 form WITH this Vendor Application Form

Company Name or Individual Name (as shown on your income tax return): Lamb's Plants, LLC

Address: 419 2nd Loop Rd

City: Florence State: SC Zip Code: 29505

Contact Name: Jonathan Lamb Contact E-mail Address: lambs2ndloop@yahoo.com

This is also my address where Purchase orders should be sent (circle) Yes or No

If you have a "Doing Business As" name, please include here.

Doing Business As (DBA) Name: _____

Address: _____

City: _____ State: _____ Zip Code: _____

This is also my address where Purchase orders should be sent (circle) Yes or No

Payment Remittance Address

Payment Remittance Address: PO Box 366

City: Coward State: SC Zip Code: 29530

Contact Name: Jonathan Lamb Contact E-mail Address: lambs2ndloop@yahoo.com

This is also my address where Purchase orders should be sent (circle) Yes or No

E-mail Address for receiving Purchase Orders from FMU: lambs2ndloop@yahoo.com

Would you like to arrange for electronic payment (circle): Yes or No

South Carolina Small and Minority Business Certification Number _____ Expiration Date: _____

Jonathan Lamb
Signature of Individual Completing Form

10/3/23
Date

For FMU Use Only:

International Vendor Number (FMU will provide) : _____

Purchasing Keyed by: _____

Date: _____

Accounting Reviewed by: _____

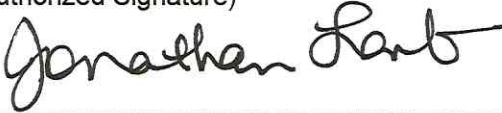
Date: _____

OPEN TRADE REPRESENTATION

(S.C. Code Ann. §§ 11-35-5300)

The following representation, which is required by Section 11-35-5300(A), is a material inducement for the State to award a contract to you.

I, the official named below, certify I am duly authorized to execute this certification on behalf of the vendor identified below, and, as of the date of my signature, the vendor identified below is not currently engaged in the boycott of a person or an entity based in or doing business with a jurisdiction with whom South Carolina can enjoy open trade, as defined in SC Code Section 11-35-5300.

Vendor Name (Printed) Lamb's Plants, LLC	State Vendor No.
By (Authorized Signature) 	Date Executed 10/3/23
Printed Name and Title of Person Signing Jonathan Lamb	[Not used]



11/6

8436611765

Proposal To: Francis Marion University
Lisa Blackwell, Procurement Officer

In Response To: RFQ-2427

Proposal Title: Furnish & Deliver Longleaf Pine Straw to Francis Marion University

Due By: October 24, 2023 2:00 PM Eastern Standard Time

Submitted By: DEM Logistics, LLC.
409 Lever Hill Road
Chapin, SC 29036 - USA
Phone: 803-331-8155
Email: dem@demlogistics.com

Unique ID Number: ELKTJKVGF165

SC Vendor Number: 7000283879

DUNS Number: 117552069

CAGE Number: 8MQ11

TAX ID 85-0884623

Authorized to Negotiate: Doyle E. McBride
Partner, DEM Logistics,
Phone: 803-331-8155
Email: dem@demlogistics.com

Authorized to Sign: Doyle E. McBride
Partner
DEM Logistics

Restriction on Disclosure and Use of Data

This proposal includes data that shall not be disclosed outside the Government and shall not be duplicated, used, or disclosed—in whole or in part—for any purpose other than to evaluate this proposal. If, however, a contract is awarded to this offeror as a result of—or in connection with—the submission of this data, the Government shall have the right to duplicate, use, or disclose the data to the extent provided in the resulting contract. This restriction does not limit the Government's right to use information contained in this data if it is obtained from another source without restriction. All data is subject to this restriction.

DEM LOGISTICS LLC. Agreement

DEM Logistics agrees with all terms, conditions, and provisions included in the solicitation and its amendments and agrees to furnish any or all items upon which prices are offered at the price set opposite each item.

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Request for Quote Amendment #1		Solicitation Number	RFQ-2427
		Date Issued	10/10/23
		Procurement Officer	Lisa Blackwell
		Phone	(843) 661-1164
		E-Mail Address	lisa.blackwell@fmarion.edu

DESCRIPTION: **Furnish & Deliver Longleaf Pine Straw to Francis Marion University**

The Term "Offer" Means Your "Bid" or "Proposal".

SUBMIT OFFER BY (Opening Date/Time): **10/24/23 @ 2:00 PM EST** See "Deadline For Submission Of Offer" provision

QUESTIONS MUST BE RECEIVED BY: ~~10/09/23 @ 2:00 PM EST~~ See "Questions From Offerors" provision

NUMBER OF COPIES TO BE SUBMITTED: 1

SUBMIT YOUR OFFER TO ONE OF THE FOLLOWING ADDRESSES IN A SEALED PACKAGE, or you may send via fax (see fax direction/details on page 4)

MAILING ADDRESS: Francis Marion University Purchasing Office P.O. Box 100547 Florence, SC 29502-0547	EXPRESS SHIPPING ADDRESS: Francis Marion University Central Receiving 4922 E. Palmetto Street Florence, SC 29506	HAND-DELIVERY: Francis Marion University Purchasing Office (Room 102) Stokes Administration Building 4822 E. Palmetto Street Florence, SC 29506
---	---	---

CONFERENCE TYPE: ---- *As appropriate, see "Conferences - Pre-Bid/Proposal" & "Site Visit" provisions	DATE & TIME: ---- *As appropriate, see "Conferences - Pre-Bid/Proposal" & "Site Visit" provisions	LOCATION: ---- *As appropriate, see "Conferences - Pre-Bid/Proposal" & "Site Visit" provisions
--	--	---

AWARD & AMENDMENTS	Notice of Award will be posted at the Physical (Hand-Delivery) Address stated above on 10/24/2023 . The award, this solicitation, and any amendments will be posted at the following web address: https://www.fmarion.edu/procurement/solicitations/awards/
-------------------------------	--

You must submit a signed copy of this form with Your Offer. By submitting a bid or proposal, You agree to be bound by the terms of the Solicitation. You agree to hold Your Offer open for a minimum of thirty (30) calendar days after the Opening Date.

NAME OF OFFEROR (Full legal name of business submitting the offer) DEM LOGISTICS LLC	OFFEROR'S TYPE OF ENTITY: (Check one)
AUTHORIZED SIGNATURE 	<input type="checkbox"/> Sole Proprietorship <input checked="" type="checkbox"/> Partnership <input type="checkbox"/> Corporation (tax-exempt) <input type="checkbox"/> Corporate entity (not tax-exempt) <input type="checkbox"/> Government entity (federal, state, or local) <input type="checkbox"/> Other _____
TITLE (Business title of person signing above) PRESIDENT	
PRINTED NAME (Printed name of person signing above) DOYLE E. McBRIDE	DATE SIGNED 10/23/23 (See "Signing Your Offer" provision.)

Instructions regarding Offeror's name: Any award issued will be issued to, and the contract will be formed with, the entity identified as the offeror above. An offer may be submitted by only one legal entity. The entity named as the offeror must be a single and distinct legal entity. Do not use the name of a branch office or a division of a larger entity if the branch or division is not a separate legal entity, i.e., a separate corporation, partnership, sole proprietorship, etc.

STATE OF INCORPORATION SOUTH CAROLINA	(If Offeror is a corporation, identify the state of incorporation.)
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TAXPAYER IDENTIFICATION NO. 85-0884623 (See "Taxpayer Identification Number" provision)	
---	--

COVER PAGE M/MO (JAN. 2006)

PAGE TWO

(Return Page Two with Your Offer)

<p>HOME OFFICE ADDRESS (Address for offeror's home office / principal place of business)</p> <p>DEM LOGISTICS LLC 409 LEVER HILL ROAD CHAPIN, SC 29036</p>	<p>NOTICE ADDRESS (Address to which all procurement and contract related notices should be sent.) (See "Notice" clause)</p> <p>DEM LOGISTICS LLC 409 LEVER HILL ROAD CHAPIN, SC 29036</p> <hr/> <p>Address 803-331-8155</p> <hr/> <p>Area Code - Number - Extension Facsimile</p> <p>DEM@DEMLOGISTICS.COM</p> <hr/> <p>E-mail Address</p>
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<p>PAYMENT ADDRESS (Address to which payments will be sent.) (See "Payment" clause)</p> <p><input checked="" type="checkbox"/> Payment Address same as Home Office Address <input type="checkbox"/> Payment Address same as Notice Address (check only one)</p>	<p>ORDER ADDRESS (Address to which purchase orders will be sent) (See "Purchase Orders and "Contract Documents" clauses)</p> <p><input checked="" type="checkbox"/> Order Address same as Home Office Address <input type="checkbox"/> Order Address same as Notice Address (check only one)</p>
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ACKNOWLEDGMENT OF AMENDMENTS
Offerors acknowledges receipt of amendments by indicating amendment number and its date of issue. (See "Amendments to Solicitation" Provision)

Amendment No.	Amendment Issue Date	Amendment No.	Amendment Issue Date	Amendment No.	Amendment Issue Date	Amendment No.	Amendment Issue Date
1	10/10/23						

DISCOUNT FOR PROMPT PAYMENT (See "Discount for Prompt Payment" clause)	10 Calendar Days (%)	20 Calendar Days (%)	30 Calendar Days (%)	_____ Calendar Days (%)
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PREFERENCES - A NOTICE TO VENDORS (SEP. 2009): On June 16, 2009, the South Carolina General Assembly rewrote the law governing preferences available to in-state vendors, vendors using in-state subcontractors, and vendors selling in-state or US end products. This law appears in Section 11-35-1524 of the South Carolina Code of Laws. A summary of the new preferences is available at www.procurement.sc.gov/preferences. **ALL THE PREFERENCES MUST BE CLAIMED AND ARE APPLIED BY LINE ITEM, REGARDLESS OF WHETHER AWARD IS MADE BY ITEM OR LOT. VENDORS ARE CAUTIONED TO CAREFULLY REVIEW THE STATUTE BEFORE CLAIMING ANY PREFERENCES. THE REQUIREMENTS TO QUALIFY HAVE CHANGED. IF YOU REQUEST A PREFERENCE, YOU ARE CERTIFYING THAT YOUR OFFER QUALIFIES FOR THE PREFERENCE YOU'VE CLAIMED. IMPROPERLY REQUESTING A PREFERENCE CAN HAVE SERIOUS CONSEQUENCES.** [(11-35-1524(E)(4)&(6))]

PREFERENCES - ADDRESS AND PHONE OF IN-STATE OFFICE: Please provide the address and phone number for your in-state office in the space provided below. An in-state office is necessary to claim either the Resident Vendor Preference (11-35-1524(C)(1)(i)&(ii)) or the Resident Contractor Preference (11-35-1524(C)(1)(iii)). Accordingly, you must provide this information to qualify for the preference. An in-state office is not required, but can be beneficial, if you are claiming the Resident Subcontractor Preference (11-35-1524(D)).

In-State Office Address same as Home Office Address
 In-State Office Address same as Notice Address (check only one)

Amendment 1

RFQ-2427 – Furnish and Deliver Longleaf Pine Straw

AMENDMENTS TO SOLICITATION (JAN 2004): (a) The Solicitation may be amended at any time prior to opening. All actual and prospective Offerors should monitor the following web site for the issuance of Amendments: www.procurement.sc.gov (b) Offerors shall acknowledge receipt of any amendment to this solicitation (1) by signing and returning the amendment, (2) by identifying the amendment number and date in the space provided for this purpose on Page Two, (3) by letter, or (4) by submitting a bid that indicates in some way that the bidder received the amendment. (c) If this solicitation is amended, then all terms and conditions which are not modified remain unchanged. [02-2A005-1]

Modifications

The following have been added or changed/removed or emphasized:

- 1) Cover Page, Page 1

QUESTIONS MUST BE RECEIVED BY: ~~10/09/23 @ 2:00 PM EST~~ See "Questions From Offerors" provision

Questions Asked

Question 1	How many bales of pine straw are you actually planning on purchasing?
Answer	See the Solicitation RFQ-2427 – page 24, Section VIII, Item 1 Quantity, Item 2 Quantity and RFQ -2427 – page 13, Section III, 2, and Section III, 5.
Question 2	Will this be a delivery only or is installation also needed?
Answer	Delivery Only. See the Solicitation RFQ-2427 – page 13, Section III.
Question 3	What is the total square footage area you are needing pine straw?
Answer	See the Solicitation RFQ-2427 – page 13, Section III, 2 and RFQ-2427 – page 24, Section VIII, Item 1 Quantity, Item 2 Quantity.
Question 4	What is the total number of bale count you are requiring?
Answer	See the Solicitation RFQ-2427 – page 24, Section VIII, Item 1 Quantity and Item 2 Quantity.

Vendor: DEM LOGISTICS LLC

Authorized Signature: Doyle McBride
(Same signature as individual who signed cover page of the solicitation)

Date: 10/23/23



6/16

FM	Request for Quote	
	Solicitation Number	RFQ-2427
	Date Issued	09/28/23
	Procurement Officer	Lisa Blackwell
	Phone	(843) 661-1164
E-Mail Address	lisa.blackwell@fmarion.edu	

DESCRIPTION: Furnish & Deliver Longleaf Pine Straw to Francis Marion University

The Term "Offer" Means Your "Bid" or "Proposal".

SUBMIT OFFER BY (Opening Date/Time): 10/24/23 @ 2:00 PM EST See "Deadline For Submission Of Offer" provision

QUESTIONS MUST BE RECEIVED BY: 10/09/23 @ 2:00 PM EST See "Questions From Offerors" provision

NUMBER OF COPIES TO BE SUBMITTED: 1


SUBMIT YOUR OFFER TO ONE OF THE FOLLOWING ADDRESSES IN A SEALED PACKAGE, or you may send via fax (see fax direction/details on page 4)

MAILING ADDRESS: Francis Marion University Purchasing Office P.O. Box 100547 Florence, SC 29502-0547	EXPRESS SHIPPING ADDRESS: Francis Marion University Central Receiving 4822 E. Palmetto Street Florence, SC 29506	HAND-DELIVERY: Francis Marion University Purchasing Office (Room 102) Stokes Administration Building 4822 E. Palmetto Street Florence, SC 29506
---	---	---

CONFERENCE TYPE: ---	DATE & TIME: ---	LOCATION: ---
*As appropriate, see "Conferences - Pre-Bid/Proposal" & "Site Visit" provisions		*As appropriate, see "Conferences - Pre-Bid/Proposal" & "Site Visit" provisions

AWARD & AMENDMENTS	Notice of Award will be posted at the Physical (Hand-Delivery) Address stated above on 10/24/2023. The award, this solicitation, and any amendments will be posted at the following web address: https://www.fmarion.edu/procurement/solicitationsawards/
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You must submit a signed copy of this form with Your Offer. By submitting a bid or proposal, You agree to be bound by the terms of the Solicitation. You agree to hold Your Offer open for a minimum of thirty (30) calendar days after the Opening Date.

NAME OF OFFEROR (Full legal name of business submitting the offer) DEM LOGISTICS LLC	OFFEROR'S TYPE OF ENTITY: (Check one)
AUTHORIZED SIGNATURE 	<input type="checkbox"/> Sole Proprietorship <input checked="" type="checkbox"/> Partnership <input type="checkbox"/> Corporation (tax-exempt) <input type="checkbox"/> Corporate entity (not tax-exempt) <input type="checkbox"/> Government entity (federal, state, or local) <input type="checkbox"/> Other _____
(Person signing must be authorized to submit binding offer to enter contract on behalf of Offeror named above.) TITLE (Business title of person signing above) PRESIDENT	
PRINTED NAME (Printed name of person signing above) DATE SIGNED DOYLE E. McBRIDE 10/23/23	

Instructions regarding Offeror's name: Any award issued will be issued to, and the contract will be formed with, the entity identified as the offeror above. An offer may be submitted by only one legal entity. The entity named as the offeror must be a single and distinct legal entity. Do not use the name of a branch office or a division of a larger entity if the branch or division is not a separate legal entity, i.e., a separate corporation, partnership, sole proprietorship, etc.

STATE OF INCORPORATION	(If Offeror is a corporation, identify the state of Incorporation.)
SOUTH CAROLINA	

TAXPAYER IDENTIFICATION NO. 85-0884623
(See "Taxpayer Identification Number" provision)

COVER PAGE MMO (JAN. 2006)



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PAGE TWO
(Return Page Two with Your Offer)

<p>HOME OFFICE ADDRESS (Address for offeror's home office / principal place of business)</p> <p>DEM LOGISTICS LLC 409 LEVER HILL ROAD CHAPIN, SC 29036</p>	<p>NOTICE ADDRESS (Address to which all procurement and contract related notices should be sent.) (See "Notice" clause)</p> <p>DEM LOGISTICS LLC 409 LEVER HILL ROAD CHAPIN, SC 29036</p> <hr/> <p>Address 803-331-8155</p> <hr/> <p>Area Code - Number - Extension Facsimile</p> <p>DEM@DEMLOGISTICS.COM</p> <hr/> <p>E-mail Address</p>
---	---

<p>PAYMENT ADDRESS (Address to which payments will be sent.) (See "Payment" clause)</p> <p><input checked="" type="checkbox"/> Payment Address same as Home Office Address <input type="checkbox"/> Payment Address same as Notice Address (check only one)</p>	<p>ORDER ADDRESS (Address to which purchase orders will be sent) (See "Purchase Orders and "Contract Documents" clauses)</p> <p><input checked="" type="checkbox"/> Order Address same as Home Office Address <input type="checkbox"/> Order Address same as Notice Address (check only one)</p>
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ACKNOWLEDGMENT OF AMENDMENTS
Offerors acknowledges receipt of amendments by indicating amendment number and its date of issue. (See "Amendments to Solicitation" Provision)

Amendment No.	Amendment Issue Date	Amendment No.	Amendment Issue Date	Amendment No.	Amendment Issue Date	Amendment No.	Amendment Issue Date

DISCOUNT FOR PROMPT PAYMENT (See "Discount for Prompt Payment" clause)	10 Calendar Days (%)	20 Calendar Days (%)	30 Calendar Days (%)	_____ Calendar Days (%)
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PREFERENCES - A NOTICE TO VENDORS (SEP. 2009): On June 16, 2009, the South Carolina General Assembly rewrote the law governing preferences available to in-state vendors, vendors using in-state subcontractors, and vendors selling in-state or US end products. This law appears in Section 11-35-1524 of the South Carolina Code of Laws. A summary of the new preferences is available at www.procurement.sc.gov/preferences. **ALL THE PREFERENCES MUST BE CLAIMED AND ARE APPLIED BY LINE ITEM, REGARDLESS OF WHETHER AWARD IS MADE BY ITEM OR LOT. VENDORS ARE CAUTIONED TO CAREFULLY REVIEW THE STATUTE BEFORE CLAIMING ANY PREFERENCES. THE REQUIREMENTS TO QUALIFY HAVE CHANGED. IF YOU REQUEST A PREFERENCE, YOU ARE CERTIFYING THAT YOUR OFFER QUALIFIES FOR THE PREFERENCE YOU'VE CLAIMED. IMPROPERLY REQUESTING A PREFERENCE CAN HAVE SERIOUS CONSEQUENCES.** [11-35-1524(E)(4)&(6)]

PREFERENCES - ADDRESS AND PHONE OF IN-STATE OFFICE: Please provide the address and phone number for your in-state office in the space provided below. An in-state office is necessary to claim either the Resident Vendor Preference (11-35-1524(C)(1)(i)&(ii)) or the Resident Contractor Preference (11-35-1524(C)(1)(iii)). Accordingly, you must provide this information to qualify for the preference. An in-state office is not required, but can be beneficial, if you are claiming the Resident Subcontractor Preference (11-35-1524(D)).

In-State Office Address same as Home Office Address
 In-State Office Address same as Notice Address (check only one)

IV. INFORMATION FOR OFFERORS TO SUBMIT

(803) 331-8155 | 409 LEVER HILL ROAD, CHAPIN SC 29036 | info@demlogistics.com | www.demlogistics.com

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INFORMATION FOR OFFERORS TO SUBMIT – GENERAL (MAR 2015)

You shall submit a signed Cover Page and Page Two. If you submit your offer electronically, you must upload an image of a signed Cover Page and Page Two. Your offer should include all other information and documents requested in this part and in parts II.B. Special Instructions; III. Scope of Work; V. Qualifications; VIII. Bidding Schedule/Price Proposal; and any appropriate attachments addressed in Part IX. Attachments to Solicitations. You should submit a summary of all insurance policies you have or plan to acquire to comply with the insurance requirements stated herein, if any, including policy types; coverage types; limits, sub-limits, and deductibles for each policy and coverage type; the carrier's A.M. Best rating; and whether the policy is written on an occurrence or claims-made basis. [04-4010-2]

MINORITY PARTICIPATION (DEC 2015)

Is the bidder a South Carolina Certified Minority Business? Yes No

Is the bidder a Minority Business certified by another governmental entity? Yes No

If so, please list the certifying governmental entity: _____

Will any of the work under this contract be performed by a SC certified Minority Business as a subcontractor? Yes No

If so, what percentage of the total value of the contract will be performed by a SC certified Minority Business as a subcontractor?

Will any of the work under this contract be performed by a minority business certified by another governmental entity as a subcontractor? Yes No

If so, what percentage of the total value of the contract will be performed by a minority business certified by another governmental entity as a subcontractor? _____

If a certified Minority Business is participating in this contract, please indicate all categories for which the Business is certified:

- Traditional minority
- Traditional minority, but female
- Women (Caucasian females)
- Hispanic minorities
- DOT referral (Traditional minority)
- DOT referral (Caucasian female)
- Temporary certification
- SBA 8 (a) certification referral
- Other minorities (Native American, Asian, etc.)

(If more than one minority contractor will be utilized in the performance of this contract, please provide the information above for each minority business.)

The Department of Administration, Division of Small and Minority Business Contracting and Certification, publishes a list of certified minority firms. The Minority Business Directory is available at the following URL: <http://osmba.sc.gov/directory.html> [04-4015-3]

9/16

VIII. Bidding Schedule: RFQ-2427: Furnish & Deliver Longleaf Pine Straw

PRICE PROPOSAL (JAN 2006)

The following Bidding Schedule is required to be completed by the offeror:
(do not include sales tax in your offer)

Item	Description	Quantity	Unit Price	Extended Price
1 (year 1)	14" x 14" x 28" packed and tied bale of Long Leaf Pine Straw delivered as specified in a drop or caged trailer.	*5,000 units	\$5.75	\$28,750
Question		Mandatory/Optional	Multiple Responses Accepted?	Response
Are you requesting the SC Resident Vendor preference? See the SC procurement code, section 11-35-1524(c)(1)(i)&(ii) and section II.B of this solicitation for more information. For a FAQ on these preferences, please see www.procurement.sc.gov/preferences		Optional	No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
SC/US End-Product pref. Section 11-35-1524 and section II.B & VII.B of this solicitation. Select SC End Product preference if product is made, manufactured or grown in SC. Select US End Product if product is made, manufactured or grown in the US. Select "No", if not claiming a preference.		Optional	No	<input checked="" type="checkbox"/> Yes, I am claiming SC End Product Preference <input checked="" type="checkbox"/> Yes, I am claiming US End Product Preference <input type="checkbox"/> No, I am not Claiming Either Preference

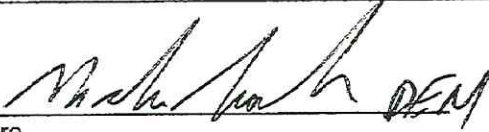
* Estimated usage for one year. Quantities may be more or less than this estimate. The University cannot guarantee that any quantities will be purchased.

Item	Description	Quantity	Unit Price	Extended Price
2 (year 2)	14" x 14" x 28" packed and tied bale of Long Leaf Pine Straw delivered as specified in a drop or caged trailer.	*5,000 units[LAH3]	\$6.25	\$31,250
Question		Mandatory/Optional	Multiple Responses Accepted?	Response
Are you requesting the SC Resident Vendor preference? See the SC procurement code, section 11-35-1524(c)(1)(i)&(ii) and section II.B of this solicitation for more information. For a FAQ on these preferences, please see www.procurement.sc.gov/preferences		Optional	No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
SC/US End-Product pref. Section 11-35-1524 and section II.B & VII.B of this solicitation. Select SC End Product preference if product is made, manufactured or grown in SC. Select US End Product if product is made, manufactured or grown in the US. Select "No", if not claiming a preference.		Optional	No	<input checked="" type="checkbox"/> Yes, I am claiming SC End Product Preference <input checked="" type="checkbox"/> Yes, I am claiming US End Product Preference <input type="checkbox"/> No, I am not Claiming Either Preference

* Estimated usage for one year. Quantities may be more or less than this estimate. The University cannot guarantee that any quantities will be purchased.

10/16

Item	Description	Total
3	TOTAL of Items 1 & 2 above	\$60,000


 Signature

Michelle Novak
 Printed Name

DEM

SC Certified Minority Vendor: Y N S.C. Cert. # _____

*Certified Veteran Owned Business-Department of Veteran Affairs Washington D.C.

* Bales 16-18 lbs

For Informational Purposes Only And Not Included In The Evaluation Process:

Maintenance Cost (after warranty expiration): \$ _____

Maintenance Term: _____

11/16

OPEN TRADE REPRESENTATION

(S.C. Code Ann. §§ 11-35-5300)

The following representation, which is required by Section 11-35-5300(A), is a material inducement for the State to award a contract to you.

I, the official named below, certify I am duly authorized to execute this certification on behalf of the vendor identified below, and, as of the date of my signature, the vendor identified below is not currently engaged in the boycott of a person or an entity based in or doing business with a jurisdiction with whom South Carolina can enjoy open trade, as defined in SC Code Section 11-35-5300.

Vendor Name (Printed) DEM LOGISTICS LLC	State Vendor No. 7000283879
By (Authorized Signature) <i>Doyle McBride</i>	Date Executed 10/23/23
Printed Name and Title of Person Signing DOYLE E. McBRIDE	[Not used]

Francis Marion University Bid Tabulation

Bid/Quote #: RFQ-2427 Pine Straw

Issue Date: 9/28/2023

Tabulated By: Lisa Blackwell

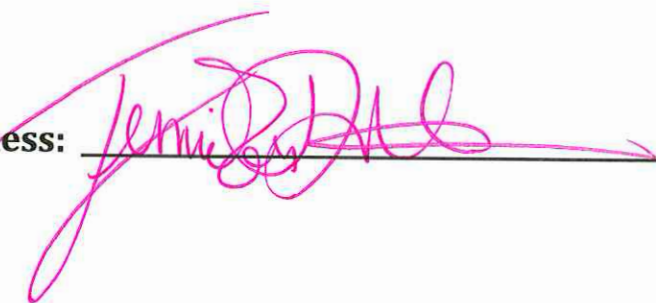
Open Date: 10/24/2023

Open Time: 2:00 PM EST

VENDOR NAME	Item 1	Item 2	Total
DEM LOGISTICS LLC	\$28,750	\$31,250	\$60,000

Winning Vendor

Note: Preferences did not impact the resulting award for any item in the solicitation.

Witness: 

Date: 10/24/23

Francis Marion University

Purchasing Office
PO Box 100547
Florence, SC 29502-0547

Statement of Award

Posting Date: **10/24/2023**

This is a statement of award and serves as acceptance of your offer.

Contractor should not perform work prior to the receipt of a purchase order from Francis Marion University. The University assumes no liability for any expenses incurred prior to the effective date of the contract and issuance of a purchase order.

Solicitation: RFQ-2427
Description: Furnish and Deliver Pine Straw to Francis Marion University
Issue Date: 09/28/23
Opening Date/Time: 10/24/23, 2:00 pm EST
Award Date: 10/24/23

Awarded To: **Name:** DEM LOGISTICS LLC
Address: 409 Lever Hill Road, Chapin, SC 29036

Evaluated Amount: Year 1 at estimated value of \$28,750; Year 2 at estimated value of \$31,250.
Total estimated potential value of \$60,000.

Any actual bidder, offeror, contractor, or subcontractor who is aggrieved in connection with the intended award or award of a contract shall protest within ten days of the date notification of award is posted in accordance with the S.C. Consolidated Procurement Code. A protest shall be in writing, shall set forth the grounds of the protest and the relief requested with enough particularity to give notice of the issues to be decided, and must be received by the appropriate Chief Procurement Officer within the time provided. [Section 11-35-4210].

PROTEST – CPO ADDRESS – MMO: Any protest must be addressed to the Chief Procurement Officer, Materials Management Office, and submitted in writing

- (a) by email to protest-mmo@mmo.sc.gov,
- (b) by facsimile at 803-737-0639, or
- (c) by post or delivery to:

CHIEF PROCUREMENT OFFICER
MATERIALS MANAGEMENT OFFICE
1201 MAIN STREET, SUITE 600
COLUMBIA, S.C. 29201

Lisa Blackwell
Assistant Director of Purchasing